

DOUGLAS A. WICKHAM, Bar No. 127268
 LITTLER MENDELSON, P.C.
 633 West 5th Street, 63rd Floor
 Los Angeles, CA 90071
 Telephone: 213.443.4300
 Facsimile: 213.443.4299
 Email: dwickham@littler.com

BENJAMIN A. EMMERT, Bar No. 212157
 LITTLER MENDELSON, P.C.
 50 West San Fernando Street, 7th Floor
 San Jose, CA 95113.2303
 Telephone: 408.998.4150
 Facsimile: 408.288.5686
 E-mail: bemmert@littler.com

Attorneys for Plaintiff/Counter Defendant
 MARSH & MCLENNAN AGENCY, LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

MARSH & MCLENNAN AGENCY, LLC, a
 Delaware limited liability company,

Plaintiff and Counter-
 Defendant,

v.

TEROS ADVISORS, LLC, a California limited
 liability company,

Defendant and Counter
 Claimant.

Case No. 4:20-cv-02679-HSG

**STIPULATION AND ORDER
 CONTINUING FACT DISCOVERY
 CUTOFF FOR SPECIFIC DEPOSITIONS
 PROPERLY NOTICED BEFORE
 DISCOVERY CUTOFF**

And Related Cross-Complaint

1 Plaintiff and Counter-Defendant Marsh & McLennan Agency, LLC (“MMA”) and Defendant
 2 and Counter-Claimant Teros (“Teros”) (collectively “the Parties”) submit this stipulation and proposed
 3 order to continue the fact discovery cutoff date in this matter for a period of four (4) weeks to allow
 4 the Parties to take three specified depositions that have been requested prior to the discovery cut-off
 5 but have not been noticed/scheduled prior to the discovery cut off. The depositions subject to this
 6 stipulation are the depositions of MMA’s corporate representative, the deposition of Teros’ corporate
 7 representative, and the deposition of Teros’ President, Nathan White. The Parties’ stipulation is based
 8 on the following:

9 WHEREAS, MMA served its Complaint on Teros on July 10, 2020;

10 WHEREAS, Teros filed its Answer and Counter-Claim on September 30, 2020;

11 WHEREAS, MMA filed its Answer to Teros’ Counter-Claim on September 28, 2020;

12 WHEREAS, the Court set the discovery cut-off for March 31, 2021;

13 WHEREAS, Teros noticed the deposition of MMA’s corporate representative on certain
 14 specified topics;

15 WHEREAS, MMA subsequently noticed the deposition of Teros’ corporate representative and
 16 the deposition of its employee, Nathan White and served deposition notices for these depositions.

17 WHEREAS, following Teros requesting the deposition of MMA’s corporate representative
 18 and MMA’s noticing the deposition of Teros’ corporate representative and Mr. Nathan White, the
 19 Parties met and conferred regarding the scope of the depositions of MMA’s corporate representative
 20 and Teros’ corporate representative, and met and confer regarding dates for the depositions.

21 WHEREAS, despite efforts to schedule these depositions prior to the discovery cut off, due to
 22 MMA’s unavailability, the Parties have been unable to schedule the deposition of MMA’s corporate
 23 representative prior to the discovery cut-off.

24 WHEREAS, MMA and Teros have agreed to take the depositions of MMA’s corporate
 25 representative, Teros’ corporate representative, and Mr. Nathan White in April 2021.

26 //

27 //

WHEREAS, the Parties respectfully request the Court continue the discovery cut-off to April 30 to allow them to take the depositions of MMA's corporate representative, Teros' corporate representative, and Mr. Nathan White.

NOW THEREFORE THE PARTIES STIPULATE AND AGREE AS FOLLOWS:

That the discovery cut-off date of March 31, 2021, be continued to April 30, 2021, to allow the Parties to take the depositions of MMA's corporate representative, Teros' corporate representative, and Mr. Nathan White.

IT IS SO STIPULATED

Pursuant to Northern District of California's Local Rule 5-1(i)(3), I attest that the concurrence in the filing of the document has been obtained from each of the other Signatories.

Dated: March 16, 2021

/s/ Benjamin A. Emmert

BENJAMIN A. EMMERT
LITTLER MENDELSON, P.C.
Attorneys for Plaintiff/Counter Defendant
MARSH & MCLENNAN AGENCY, LLC

Dated: March 16, 2021

/s/ Lawrence Hecimovich


LAWRENCE HECIMOVICH
MOUND COTTON WOLLAN &
GREENGRASS, LLC
Attorneys for Defendant/Counter Claimant
TEROS ADVISORS, LLC

ORDER

Pursuant to the stipulation of the Parties, the Stipulation of the Parties' is GRANTED. The fact discovery cut-off is continued to April 30, 2021, for the purpose of taking the deposition of MMA's corporate representative, Teros' corporate representative, and Mr. Nathan White.

IT IS SO ORDERED.

Dated: 3/17/2021


Hon. Haywood S. Gilliam, Jr.
Judge of the United States District Court